

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO GARCIA-AGUILAR,

Defendant.

)
)
)
)
)
)
)
)
)
)
)

8:07CR103

TRIAL ORDER

On April 4, 2007, the defendant filed a motion to extend the deadline for filing pretrial motions [26], for the reason that the government has not yet furnished Rule 16 discovery material. Under the current case progression order, the government has until April 5, 2007 to provide discovery, and the deadline for filing pretrial motions is currently set for April 18, 2007. The court finds that the defendant has not shown good cause for an extension of the April 18 deadline. In any event, the defendant has not filed a waiver of speedy trial, as required by the local rules of practice and the case progression order.

IT IS ORDERED that defendant's motion for extension of time [26] is denied without prejudice to reassertion, if necessary. Any such motion shall be supported by a written affidavit of the defendant stating that the defendant agrees to the requested continuance or extension and understands that the additional time may be excludable time for the purpose of computing any Speedy Trial Act deadline; if the defendant believes otherwise, the affidavit shall so state.

DATED April 4, 2007.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**